## IN THE UNITED STATES DISTRICT COURT , FOR THE NORTHERN DISTRICT OF NEW YORK

M.J., an infant, by her Parent and Natural Guardian, CASEY JOHNSON,

٧.

Plaintiff,

STIPULATION OF DISCONTINUANCE Civil Action No.: 7:09-CV-0076 (TMJ/GHL)

UNITED STATES OF AMERICA, SAMARITAN MEDICAL CENTER, KRISTIN LEWIS, CNM, LYNN OSSOLA, RN, GAY WARD, RN, TONI BONVILLE, RN, SHEELA MARIE, RN, and "John/Jane Doe No. 1" through "John/Jane Doe No. 10" said names intended to designate those persons or unknown persons who were employees, agents, apparent agents, independent contractors and/or staff members of Samaritan Medical Center who were involved in the care and treatment of Casey Johnson and Plaintiff, M.J., on the dates set forth below,

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of records for the plaintiff and defendants in this action, that

WHEREAS no party hereto is an infant or person for whom a personal needs or property management guardian has been appointed and there is no person not a party who has an interest in the subject matter of this action, including any cross-claims, be, and the same hereby is

DISCONTINUED as to the defendant KRISTIN LEWIS, CNM, on the merits and with prejudice, without costs to any party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: October 25, 2010

Charles E. Patton, Esq.
Bar Roll No.:601480
MARTIN, GANOTIS, BROWN,
MOULD & CURRIE, P.C.
Attorneys for Defendant
Office and P.O. Address

5790 Widewaters Parkway Dewitt, New York 13214

(315) 449-2616

William Larkin, Esq.

Assistant U.S. Attorney

Northern District of New York

William F. Larkin Bar Number 102013

Attorneys for Defendant

UNITED STATES

Office and P.O. Address

100 South Clinton Street

Room 900; P.O. Box 7198

Syracuse, New York 13261-7198

Tel: (315) 448-0672

Charlie Falgistano Fig

Charlie Falgiatano, Esq. Bar Roll No.: 513110

DeFRANCISCO & FALGIATNO

LAW FIRM

Attorneys for Plaintiff
Office and P.O. Address
121 East Water Street

Syracuse, New York 13202

(315) 479-9000

SO ORDERED

George H. Lowe

U.S. Magistrate Judge

Dated: 1112/2010

Syracuse, New York